

IN THE UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF TEXAS
WICHITA FALLS DIVISION

IN RE:

RAYMOND LEON TICE
JANIS RAE ST CLAIR

CASE NO: 09-70207-HDH-13
HEARING DATE: 1/20/2010
HEARING TIME: 11:00 AM

**TRUSTEE'S RECOMMENDATION CONCERNING CLAIMS, OBJECTION TO CLAIMS AND
PLAN MODIFICATION (if required)**

NOW COMES Walter O'Cheskey, Chapter 13 Trustee, and files this Proposed Trustee's Recommendation Concerning Claims and Plan Modification (if required) in accordance with Bankruptcy Rule 3007 and General Order 2006-08 and would respectively show unto to the Court as follows:

I.

OBJECTION -- NO PROOF OF CLAIM FILED

The following creditors were scheduled by the Debtor(s). No Proof of Claim has been filed by them or on their behalf, as required by Bankruptcy Rule 3002(a). The bar date for filing claims pursuant to Bankruptcy Rule 3002(c) has passed. Therefore the claims should be DISALLOWED.

Trustee Clm#	Creditor Name	Scheduled Amount	Trustee Clm#	Creditor Name	Scheduled Amount
012 0 U	AMEX	\$252.00	014 0 U	BUSINESS & PROFESSIONAL	\$84.00
020 0 U	COGENT HEALTHCARE OF TEXAS PA	\$334.54	023 0 U	LINCARE INC	\$576.46
024 0 U	MEDI-COMM SERVICES	\$648.00	027 0 U	TATE KIRLIN ASSOCIATES	\$1,088.27
028 0 U	UNITED REGIONAL	\$311.70			

II.

SPECIFIC OBJECTIONS

No Objections

III.

TRUSTEE'S RECOMMENDATIONS CONCERNING ALLOWED CLAIMS

The Trustee hereby recommends the ALLOWANCE of the following claims for the amount and in the class as listed below.

Trustee Claim #	Creditor	Collateral / Description	Claim Amount	Value	%	Term	Paid / Treated
<u>SECURED CREDITORS</u>							
008 0	STATE FARM BANK FSB	2007 CHEVY AVALANCHE	\$24,010.90	\$24,203.00	10.00%	43	\$773.32 PAID BY TRUSTEE
	Extended term from 40 to 43 months to prevent increase to debtor's plan payment. See modification below.						
009 0	BANK OF THE WEST	2003 GLASTRON BOAT	\$0.00	\$4,301.00			PD DIRECT BY DEBTOR
010 0	CLAY CAD	09 PROPERTY TAXES	\$1,165.25	\$56,250.00			PD DIRECT BY DEBTOR
011 0	FIRST NATIONAL BANK OF BYERS	HOMESTEAD	\$25,929.67	\$56,250.00			PD DIRECT BY DEBTOR

UNSECURED GENERAL CREDITORS

Trustee Clm#	Creditor Name	Claim Amount	Trustee Clm#	Creditor Name	Claim Amount
013 0 U	PRA RECEIVABLES MANAGEMENT	\$16,980.17	015 0 U	CAPITAL ONE	\$3,642.22
	PURCHASES/BANK OF AMERICA			PURCHASES	
016 0 U	ROUNDUP FUNDING LLC	\$17,059.95	017 0 U	ECAST SETTLEMENT CORPORATION	\$2,470.99
	PURCHASES/CHASE BANK USA			PURCHASES/CHASE BANK USA	
018 0 U	CLAY COUNTY MEMORIAL HOSPITAL	\$1,676.61	019 0 U	CLINICS OF NORTH TEXAS	\$619.50
	MEDICAL SERVICES			MEDICAL SERVICES	
022 0 U	RESURGENT CAPITAL SERVICES	\$1,091.96	025 0 U	MIDLAND CREDIT MANAGEMENT	\$1,611.72
	PURCHASES/SEARS			PURCHASES/CITIBANK	

If the Trustee's recommendation concerning any claim differs from the amount indicated in a creditor's Proof of Claim, the recommendation is deemed an objection to such claim. Unless a timely reponse or objection is filed contesting the Trustee's recommendation, the objection will be sustained and such claim will be allowed only in the amount and in the class indicated.

Any proposed changes by the Debtor that extends the term or lowers the interest rate as to any secured claim contained in the confirmed Plan must be set out in a Debtor's Objection or Response to the Trustee's Recommendation Concerning Claims and noticed to the affected creditor in the absence of a letter agreement between the Debtor and the affected creditor.

IV.

TRUSTEE'S PLAN MODIFICATION

Pursuant to 11 U.S.C. Section 1329, and in accordance with General Order 2006-08 Section 8, the Trustee requests the following Modification of Debtor's(s') Confirmed Plan, subject to feasibility herein:

Trustee's Modification is as follows:

All creditors shall be treated over a 43 month term.

Debtors plan term shall be extended from 40 to 43 months. Debtor shall pay \$875 per month beginning May 2009 for 43 months for a total plan base amount of \$37,625.00.

/s/ Walter O'Cheskey

Walter O'Cheskey
Chapter 13 Trustee

IF AN OBJECTION IS FILED, A HEARING WILL BE HELD 1/20/2010 AT 11:00 AM CONCERNING THE TRUSTEE'S RECOMMENDATION CONCERNING CLAIMS, OBJECTION TO CLAIMS AND PLAN MODIFICATION (IF REQUIRED) (TRCC) AT THE FOLLOWING LOCATION:

VIDEO: US COURTHOUSE ROOM 208, 10TH & LAMAR STREETS, WICHITA FALLS, TEXAS 76301

A PRE-HEARING CONFERENCE WITH THE TRUSTEE SHALL BE HELD AT THE SAME LOCATION AT 08:30 AM. ALL PARTIES ARE REQUIRED TO ATTEND THE PREHEARING CONFERENCE. ANY OBJECTIONS TO THE PLEADINGS NOT RESOLVED OR DEFAULTED AT THE PRE-HEARING CONFERENCE WILL BE HEARD BY THE COURT AT THE HEARING DATE AND TIME ABOVE. TO BE CONSIDERED, ANY OBJECTION OR RESPONSE MUST BE MADE IN WRITING, SERVED ON ALL EFFECTED CREDITORS AND FILED WITH THE COURT WITHIN THIRTY (30) DAYS FROM THE DATE OF SERVICE.

PURSUANT TO GENERAL ORDER 2006-08 SECTION 8(C), UNLESS AN OBJECTION IS TIMELY FILED AS TO THE TREATMENT OF ANY CLAIM OR MODIFICATION, THE CLAIM OR MODIFICATION WILL BE ALLOWED OR APPROVED AS DESCRIBED IN THE TRCC AND SUCH TREATMENT WILL BE FINAL AND BINDING ON ALL PARTIES.

/s/ Walter O'Cheskey

Walter O'Cheskey
Chapter 13 Trustee

I hereby certify that a copy of the foregoing Trustee's Recommendation Concerning Claims, Objection to Claims and Plan Modification (if required) and Notice of Hearing and Pre-Hearing Conference on Trustee's Recommendation Concerning Claims, Objection to Claims and Plan Modification (if required) was this date served on the following parties electronically or at the addresses listed below by U.S. First Class mail:

Date: 12/1/2009

/s/ Walter O'Cheskey

Walter O'Cheskey
Chapter 13 Trustee

AMEX PO BOX 297871 FORT LAUDERDALE FL 33329
ATLANTIC CREDIT AND FINANCE WELTMAN WEINBERG & REIS PO BOX 6597 CLEVELAND OH 44101
BANK OF AMERICA PO BOX 17054 WILMINGTON DE 19884
BANK OF THE WEST ATTN BANKRUPTCY 1450 TREAT BLVD WALNUT CREEK CA 94597
BUSINESS & PROFESSIONAL 621 N ALAMO SAN ANTONIO TX 78215
CAPITAL ONE C/O TSYS DEBT MANAGEMENT PO BOX 5155 NORCROSS GA 30091
CHASE CC ATTENTION BANKRUPTCY DEPARTMENT PO BOX 15298 WILMINGTON DE 19850
CLAY CAD 2323 BRYAN STREET SUITE 1600 DALLAS TX 75201
CLAY COUNTY APPRAISAL DISTRICT PO BOX 108 HENRIETTA TX 76365
CLAY COUNTY MEMORIAL HOSPITAL 310 W SOUTH STREET HENRIETTA TX 76365
CLINICS OF NORTH TEXAS PAYMENT PROCESSING CENTER PO BOX 730852 DALLAS TX 75373
CLINICS OF NORTH TEXAS PO BOX 97547 WICHITA FALLS TX 76307
COGENT HEALTHCARE OF TEXAS PA PO BOX 974716 DALLAS TX 75397
COLLECTCORP CORP PO BOX 101928 DEPT 4947A BIRMINGHAM AL 35210
COLLECTION PO BOX 10587 GREENVILLE SC 29603
DAVISON RUGELEY, LLP 900 EIGHT ST STE 1102 PO DRAWER 99 WICHITA FALLS TX 76307
ECAST SETTLEMENT CORPORATION PO BOX 35480 NEWARK NJ 07193
FIA CARD SERVICES C/O PRA RECEIVABLES MANAGEMENT LLC PO BOX 12907 NORFOLK VA 23451
FIRST NATIONAL BANK OF BYERS 505 MAIN STREET BYERS TX 76357
FIRST NATIONAL BANK OF BYERS HENRIETTA BRANCH PO BOX 410 HENRIETTA TX 76365
GE MONEY BANK C/O RECOVERY MANAGEMENT SYSTEMS CORP 25 SE 2ND AVE STE 1120 MIAMI FL 33131
INTERNAL REVENUE SERVICE PO BOX 21125 PHILADELPHIA PA 19114
INTERNAL REVENUE SERVICE PO BOX 21126 PHILADELPHIA PA 19114
INTERNAL REVENUE SERVICE SPECIAL PROCEDURES 1100 COMMERCE ST MC 5027DAL DALLAS TX 75242
LINCARE INC PO BOX 23078 OKLAHOMA CITY OK 73123
LINEBARGER GOGGAN BLAIR & SAMPSON 2323 BRYAN STREET SUITE 1600 DALLAS TX 75201
MEDI-COMM SERVICES 5139 69TH STREET LUBBOCK TX 79424
MIDLAND CREDIT MANAGEMENT 8875 AERO DRIVE SUITE 200 SAN DIEGO CA 92123
MONTE J WHITE ATTORNEY AT LAW 1106 BROOK AVE HAMILTON PLACE WICHITA FALLS TX 76301
NORTH TEXAS REHABILITATION CTR 1005 MIDWESTERN PARKWAY E WICHITA FALLS TX 76302
PRA RECEIVABLES MANAGEMENT PORTFOLIO REC ASSOC PO BOX 41067 NORFOLK VA 23541
PRA RECEIVABLES MANAGEMENT PORTFOLIO RECOVERY ASSOC PO BOX 12914 NORFOLK VA 23541
RAYMOND LEON TICE & JANIS RAE ST CLAIR PO BOX 454 PETROLIA TX 76377
RESURGENT CAPITAL SERVICES PO BOX 10587 GREENVILLE SC 29603
ROUNDUP FUNDING LLC PO BOX 91121 MS 550 SEATTLE WA 98111
STATE FARM BANK FSB ATTN BCC BANKRUPTCY PO BOX 2328 BLOOMINGTON IL 61702
STATE FARM FINANCIAL SERVICES F PO BOX 5961 MADISON WI 53705
TATE KIRLIN ASSOCIATES 2810 SOUTH HAMPTON RD PHILADELPHIA PA 19154
UNITED REGIONAL 1600 8TH STREET WICHITA FALLS TX 76301
UNITED STATES ATTORNEY 801 CHERRY STREET UNIT 4 FT WORTH TX 76102
US ATTORNEY ATTORNEY IN CHARGE 1100 COMMERCE 3RD FLOOR DALLAS TX 75242
US ATTORNEY GENERAL 10TH ST & CONSTITUTION AVE WASHINGTON DC 20530
WILLIAM T NEARY UNITED STATES TRUSTEE 1100 COMMERCE STREET RM 976 DALLAS TX 75242